

# PUBLIC SUBMISSION

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Draft Chesapeake Bay Total Maximum Daily Load

**Comment On:** EPA-R03-OW-2010-0736-0001  
Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

**Document:** EPA-R03-OW-2010-0736-0374  
Comment submitted by Charles W. Hartgrove, Town Manager, Town of Ashland, Virginia

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## Submitter Information

**Submitter's Representative:** Charles W. Hartgrove  
**Organization:** Town of Ashland, Virginia  
**Government Agency Type:** Local  
**Government Agency:** Town of Ashland, Virginia

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## General Comment

Our most significant concerns with EPA's Draft TMDL and Virginia's WIP relate to lack of transparency in regulatory process particularly lack of disclosure and analysis of costs related to urban stormwater. Other EPA documents urban stormwater costs for the TMDL have been estimated at \$7.9 billion/yr. We understand that the CWP has reported costs on the order of \$88,000/ac for urban retrofits. These costs have been translated as roughly \$700 to \$1,800/household/yr for urban stormwater management alone during 15-yr implementation period. These costs are extremely high if not unaffordable.

We support VA's inclusion of an expanded trading program as a local implementation option. VA's point-point trading program currently includes domestic and industrial wastewater treatment plants. We believe that expansion of VA's trading program is one way to provide flexibility to help make attainment more feasible.

We understand that Draft TMDL has technical flaws. Computer modeling deficiencies are documented in VAMSA's comments. We request that EPA fully consider and address VAMSA's comments, which we support and hereby incorporate by reference as if fully set forth herein.

The Chesapeake Bay Program has determined the James River does not influence mid-Bay water quality and any regulation of James River nutrient discharges should occur only for local water quality protection. Locally, applicable water quality standard is chlorophyll standard adopted by Virginia in 2005 and approved by EPA. Appropriateness of that standard is questioned in part due to EPA's unilateral changes to the computer model it uses to judge the adequacy of Virginia's actions. VA determined in its WIP that the chlorophyll standard is faulty and that "additional scientific study is needed to provide a more precise and scientifically defensible basis for setting final nutrient allocations." We agree with this finding and determination by VA, and we also support VA's "Four ParPart James River Strategy".

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## Attachments

**EPA-R03-OW-2010-0736-0374.1:** Comment attachment submitted by Charles W. Hartgrove, Town Manager, Town of Ashland, Virginia